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Chairman: Mr. Wenaweser ..... (Liechtenstein)

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02-65973 (E)

The meeting was called to order at 10.20 a.m.

Agenda item 102: Advancement of women (*continued*) (A/C.3/57/L.19, L.20/Rev.1 and L.21)

Draft resolution A/C.3/57/L.19: Convention on the Elimination of All Forms of Discrimination against Women

1. **Ms. Fried** (Sweden), speaking on behalf of the sponsors, said that the phrases "or otherwise incompatible with international treaty law" and "or that are otherwise incompatible with international treaty law" had been deleted from paragraph 7.

2. **The Chairman** said that the draft resolution contained no programme-budget implications and that the following countries had joined the sponsors: Antigua and Barbuda, Azerbaijan, Barbados, Belize, Benin, Bolivia, Botswana, Burkina Faso, Cameroon, Cape Verde, China, Colombia, Cuba, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Fiji, the Gambia, Georgia, Grenada, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Kenya, Kyrgyzstan, Liberia, Madagascar, Malawi, Mauritius, Mongolia, Mozambique, Namibia, Nepal, Nicaragua, Nigeria, Panama, Papua New Guinea, Paraguay, Saint Kitts and Nevis, Samoa, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, South Africa, Sri Lanka, Suriname, Thailand, Tunisia, the former Yugoslav Republic of Macedonia, Togo and Venezuela.

3. **Mr. Fox** (United States), speaking in explanation of position on draft resolution A/C.3/57/L.19, said that the United States was committed to ensuring that promotion of the human rights of women was fully integrated into its foreign policy, as underscored by its actions in Afghanistan in the area of education, employment and health care. It was considering ratifying the Convention because, although it still had certain concerns about the text and about the record of the Committee on the Elimination of Discrimination against Women, it supported the general goals. It also had concerns about the language of the draft resolution that called on States to "ratify the Convention", rather than to "consider ratifying it" and, therefore, disassociated itself from the consensus on the draft resolution.

4. *Draft resolution A/C.3/57/L.19, as orally revised, was adopted.*

5. **Mr. Loh Tuck Keat** (Singapore) said that, while supporting the general thrust of the draft resolution, Singapore observed that paragraph 7 continued to include a provision urging States parties to "review their reservations regularly with a view to withdrawing them". The Vienna Convention on the Law of Treaties drew a distinction between permissible and impermissible reservations, based on their compatibility with the purpose of the relevant convention. Hence it was inappropriate to insist that States parties should review permissible reservations with a view to withdrawing them. The purpose of reservations was to allow countries to accede to international treaties as speedily as possible, while giving them a certain flexibility with regard to compliance with the corresponding obligations. Singapore was therefore concerned about the apparent trend to discourage reservations, and its position applied to all draft resolutions that referred to the issue.

Draft resolution A/C.3/57/L.20/Rev.1: Working towards the elimination of crimes against women committed in the name of honour

6. **Mr. Hof** (Netherlands), speaking on behalf of the sponsors, drew attention to the revisions made in the first and seventh preambular paragraphs and in paragraph 1 (a) of the new text. The third preambular paragraph should be deleted.

7. **The Chairman** said that the draft resolution contained no programme-budget implications and that the following countries wished to join the sponsors: Azerbaijan, Botswana, Colombia, El Salvador, Grenada, Guatemala, Haiti, Liechtenstein, Madagascar, Malawi, Namibia, Nicaragua, Papua New Guinea, Paraguay, Sao Tome and Principe, Swaziland, the United States of America, Uruguay, Vanuatu, Venezuela and Zimbabwe.

8. *Draft resolution A/C.3/57/L.20/Rev.1, as orally revised, was adopted by consensus.*

9. **Mr. Andrabi** (Pakistan) said that Pakistan had joined the consensus, although it maintained the view that using selectivity was not the best way to address the issue.

10. **Ms. Khalil** (Egypt) said that Egypt had supported the consensus although it considered that the draft resolution required various amendments. It had several reservations, the most important being the selectivity of referring only to crimes committed in the name of

honour without taking into consideration other crimes against women, such as family violence, which required further attention and collective action to eliminate them. Egypt hoped that future draft resolutions would be improved and include all aspects of violence against women.

11. **Mr. Alaei** (Islamic Republic of Iran) said that, from the outset, his delegation had expressed its full support for any initiative of the international community to promote the rights of women and combat crimes against women in any form. However, such an initiative should adopt a balanced approach and not be selective in targeting a single manifestation of crimes against women, but rather reflect those already agreed upon at the Beijing Conference and the twenty-third special session with regard to crimes against women, including crimes committed in the name of honour.

12. His delegation had proposed certain amendments, particularly to the fourth preambular paragraph; however, as certain delegations could not accept them and since the draft resolution was designed to promote women's rights, it had preferred not to insist, on the understanding that the text of future draft resolutions would be revised to reflect its concerns.

Draft resolution A/C.3/57/L.21: Improvement of the status of women in the United Nations system

13. **Mr. Begg** (New Zealand), speaking on behalf of the sponsors, read out the oral revisions that had been made to the draft resolution. The fifth preambular paragraph would be deleted; in paragraph 6 (f), the words "as outlined in the Beijing Platform for Action" would be added after the words "To enable"; and the first five lines of paragraph 6 (h) would be revised to read "To continue to work to further strengthen the policy against harassment, including sexual harassment, by, inter alia, ensuring the full implementation of the guidelines for its application at Headquarters and in the field, and in this context is encouraged by the work of the Department of Peacekeeping Operations in developing a directive on sexual harassment for use in peacekeeping ...".

14. **The Chairman** said that the draft resolution contained no programme-budget implications and that the following countries had joined the sponsors: Austria, Azerbaijan, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cape Verde, China, Colombia, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Denmark, the Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, France, Germany, Greece, Grenada, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Ireland, Italy, Jamaica, Kenya, Kyrgyzstan, Luxembourg, Madagascar, Mali, Mauritania, Morocco, the Netherlands, Panama, Papua New Guinea, Portugal, Samoa, Sao Tome and Principe, Sierra Leone, Spain, Sri Lanka, the Sudan, Sweden, Thailand, Tunisia, the former Yugoslav Republic of Macedonia, Tunisia, Tuvalu, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Venezuela and Viet Nam.

15. *Draft resolution A/C.3/57/L.21, as orally revised, was adopted.*

16. **Ms. Hashimoto** (Japan) said that Japan strongly supported the thrust of the draft resolution, based on the Charter of the United Nations, and had therefore joined the consensus. However, her Government was concerned that some of the language, particularly the reference to the underrepresentation of women from certain countries in the seventh preambular paragraph. Some Member States, including Japan, which did not fit into the categories referred to, were also underrepresented. That paragraph, together with paragraphs 3 and 10 (a), did not adequately take into account the concerns of unrepresented and underrepresented Member States and were inconsistent with previous General Assembly resolutions on achieving equitable geographical distribution.

17. The status of women in the United Nations system should be addressed when the General Assembly considered agenda item 118 (Human resources management).

Agenda item 103: Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century" (*continued*) (A/C.3/57/L.22 and L.28)

Draft resolution A/C.3/57/L.22: Elimination of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly, "Women 2000: gender equality, development and peace for the twenty-first century"

18. **Mr. Andrabi** (Pakistan), speaking on behalf of the sponsors, said that, in paragraph 5, the word "administrative" should be replaced by the words "comprehensive legislative".

19. **The Chairman** said that the draft resolution contained no programme-budget implications and that the following countries had joined the sponsors: Argentina, Belarus, Bolivia, Burkina Faso, Burundi, Colombia, the Congo, Ecuador, Eritrea, Fiji, Ghana, Guinea-Bissau, Jamaica, Kazakhstan, Kenya, the Lao People's Democratic Republic, Liberia, Madagascar, Maldives, Mongolia, Mozambique, Nepal, Oman, Papua New Guinea, the Republic of Korea, Sao Tome and Principe, Senegal, Thailand, Trinidad and Tobago, Uganda, Uruguay, Venezuela and Zimbabwe.

20. *Draft resolution A/C.3/57/L.22, as orally revised, was adopted.*

Draft resolution A/C.3/57/L.28: Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform of Action and the outcome of the twenty-third special session of the General Assembly

21. **Ms. Leyton** (Chile), introducing the draft resolution, which had been submitted by the Chairman on the basis of informal consultations, said that, since 1995, similar resolutions had been submitted in order to maintain the momentum of the Beijing Declaration and Platform for Action. The current text was modelled on the draft resolution adopted at the fifty-sixth session, although certain parts had been revised to take into account events that had occurred over the past year.

22. **The Chairman** said that the draft resolution contained no programme-budget implications.

23. *Draft resolution A/C.3/57/L.28 was adopted.*

Agenda item 107: Elimination of racism and racial discrimination (*continued*) (A/57/3)

(a) Elimination of racism and racial discrimination (*continued*) (A/57/18, A/57/83-E/2002/72, A/57/204, 333 and 334)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (*continued*) (A/57/443 and 444)

Agenda item 108: Right of peoples to self-determination (*continued*) (A/57/178 and 312)

24. **Mr. Ahmad** (Iraq) said that combating racism and racial discrimination had been at the heart of the United Nations mission since its establishment, given that they violated the dignity and freedom of human beings. They also represented a dangerous encroachment upon human rights and a challenge to international peace and security. Despite the worldwide progress achieved in fighting racism, and the important results of the Durban Conference, many countries were still suffering from ethnic disputes and the outbreak of racist practices that targeted weak population groups, such as immigrants, refugees, and ethnic or religious minorities. Such practices led to economic and social inequalities, and to instability.

25. Most worrying was the fact that racism was taking nowadays more insidious forms that were hard to uncover and combat with legislation. They encompassed the use of modern communications. Internet sites, which had appeared after 11 September 2001, were spouting propaganda and inciting hatred against Muslims and Arabs. Such practices, promoted by racists, should be denounced, and other sites should be created to oppose racism and denounce its dangers.

26. The Iraqi people had suffered a lot from discrimination. Their suffering — a result of the tyrannical embargo that had killed over 1.7 million people, mostly children — was clearly the outcome of a racist policy designed to undermine the political, economic and social unity of the country, and to divide it along racial and religious lines. The Zionist aggression and discrimination against the Palestinian people, with the massacre and repression of civilians, particularly children, the expropriation of their lands

and the destruction of their properties, were also a clear violation of all relevant international resolutions.

27. It would not be possible to achieve a world of justice and equality without combating racism. On that basis, there should be a common legal, political and humanitarian responsibility to meet the aspirations of all peoples suffering from such racism and to support the Durban Declaration and Programme of Action. Moreover, the international community should monitor, through the United Nations, all new racist practices.

28. **Mr. Lewis** (Antigua and Barbuda), speaking on behalf of the 14 member States of the Caribbean Community (CARICOM) which were also Members of the United Nations (Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago), said that the CARICOM States regarded the issues of racism and racial discrimination as being of deep historical significance. Those States had emerged from centuries of colonialism characterized by slavery and the most barbarous form of exploitation, which was most certainly a crime against humanity. The Caribbean subregion had developed as the first society in which enslaved Africans had become the majority, at least in many of its member States, following the demise of the indigenous populations. In the process, wealth-generating systems had been created for the profit of the colonizers, sustained on the basis of chattel slavery and indentureship.

29. The CARICOM States took some solace in the fact that current manifestations of racism and racial discrimination were not instinctive reactions of the human being, but rather a social, cultural and political phenomenon born of wars, military conquests, slavery and indentureship among other factors. Current inequitable social and economic conditions were due in large part to those historical wrongs, and the CARICOM States endorsed initiatives for redress, such as speedy debt relief and the New Partnership for Africa's Development (NEPAD). It was that objective analysis of history which had motivated the international community to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001, and to adopt the Durban Declaration and Programme of Action. The CARICOM States would have hoped that the racism of old, with which people in the Caribbean were all too familiar and which they had opposed at great human cost, would have been an insignificant force by the beginning of the third millennium.

30. The CARICOM States fully supported General Assembly resolution 56/265, on the Third Decade to Combat Racism and Racial Discrimination, resolution 56/266 on the comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and resolution 56/267 on measures to combat contemporary forms of racism and racial discrimination, xenophobia and related intolerance. They also applauded the efforts of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and its invitation to the General Assembly to proclaim the year 2004 as an international year to commemorate the struggle against slavery and its abolition. They fully supported that suggestion, considering that 2004 would mark the 200th anniversary of Haiti, the first State to have been created in the wake of the overthrow of the slave system, and also considering that the Haitian revolution of 1804 symbolized the triumph of the principles of liberty, equality, dignity and the rights of the individual, and marked the history of the liberation of the peoples and the emergence of the States not only of the Caribbean but also of the Americas. The historic role of UNESCO in those issues was well known, particularly the successful Slave Route Project, which endeavoured to break the silence surrounding the issue of the Atlantic slave trade, through public review of scientific knowledge about that difficult period in world history.

31. Of particular note in the implementation of the Durban Declaration and Programme of Action was the convening in Mexico City in July 2002 of the Latin American and Caribbean Regional Seminar. The seminar had called upon Governments in the region to implement national plans of action through broadly representative national commissions. The experts had also recommended that Governments should adopt national policies to combat racial discrimination, beginning with extensive consultations with the population groups concerned. It had been further advocated that official statistics should be gathered at all levels so as to reveal the presence in the region of communities of African descent. The experts had urged States to redouble their efforts to ensure that the draft declaration on the rights of indigenous peoples was approved before the closure in 2004 of the

International Decade of the World's Indigenous People, and had called on the Commission on Human Rights to set up ad hoc commissions to review legal provisions governing relations between indigenous peoples and States. One of the conclusions of the meeting had been that States should ensure that their national action plans emphasized the need to combat racism within the criminal justice system, establish public awareness campaigns to combat prejudice, and institute programmes to eradicate gender- and race-related stereotypes from teaching materials.

32. The corresponding seminar of experts for the African region, held in Nairobi in September 2002, had served as another critical contribution to the implementation of decisions taken at Durban. As in the Latin American and Caribbean seminar, the experts had considered a range of issues and made recommendations for action at the national, regional and international levels. Those two regional seminars showed that the international community was working diligently to integrate the policies adopted at Durban into national and international decision-making. The CARICOM States emphasized that that momentum must be accelerated if all forms of racism were to be abolished.

33. **Mr. Schurti** (Liechtenstein) said that the ratification by Liechtenstein of the International Convention on the Elimination of All Forms of Racial Discrimination and the introduction of relevant legislation had increased awareness of the need to prevent xenophobia and racial discrimination through full integration of all sectors of society. Preparations were also under way to enable Liechtenstein to accept the communications procedure under article 14 of the Convention.

34. One third of Liechtenstein's resident population was composed of people from 80 foreign countries. Liechtenstein was therefore literally a "global village" in which integration must be a key responsibility not only of the State but of all members of society. Growing awareness had led to several initiatives jointly undertaken by the Government, the private sector and civil society. An association for intercultural education had been established, and during the current year, the Government had launched the "Diversity 2002 Award", which called upon individuals and groups to propose projects promoting mature understanding and acceptance among different cultures.

35. His Government did not agree with everything in the Durban Declaration and Programme of Action, but was convinced that they were a major step towards the elimination of racism. They constituted the main foundation for his Government's draft national action plan to eliminate racism and xenophobia. The plan would also incorporate the recommendations of the Committee on the Elimination of All Forms of Racial Discrimination, which had recently considered the first national report of Liechtenstein. One recommendation, concerning the integration of the human-rights perspective in the training of police officers, was already being implemented.

36. The prevention and elimination of racial discrimination had also been at the centre of attention when the European Commission against Racism and Intolerance had made its second visit to Liechtenstein early in 2002. The Commission's report was expected by the spring of 2003, and its conclusions would be integrated into the plan.

37. Racism was often the result of vague fears of "otherness", conceived as threatening one's own culture or identity. It was a defence strategy built on the false premise that culture was static and must be protected against anything foreign. Culture and identity were dynamic forces, the result of interaction among all people involved, and could not be preserved by clinging to notions of mentality, ethnicity or race. Great efforts must be put into building awareness in present-day societies of such a dynamic conception of identity, where the "other" was seen as a working participant in the creative and steady process of culture- or identity-building.

38. Creating awareness and acceptance of difference and change was at the heart of all efforts to eliminate racism and xenophobia. That seemed all the more pertinent in the unfavourable climate since the horrific events of 11 September 2001. It must not be forgotten, out of fear or in self-defence, that all human beings were entitled to human rights without discrimination. When events seemed to suggest otherwise, it must be remembered that human rights were not incidental, but essential. They were the core values of civilization.

39. **Mr. Osmane** (Algeria) said that the international community had long been aware that racism and racial discrimination were among the most serious violations of human rights. Humanity was currently confronted with new manifestations of racism, xenophobia and

intolerance, based on ideas of racial supremacy, domination and exclusion. Rather than a source of wealth and complementarity, "otherness" became grounds for rejection and discrimination and, above all, an easy excuse for nationalist ambitions and for the narrow electoralist interests of certain political parties, interest groups and Governments. That situation had unfortunately worsened in recent times, leading to intensified intolerance, racist propaganda and rejection of people who were different.

40. The Durban Conference had established a new worldwide strategy for combating racism. Humanity must take action to that end and ensure that the outcome of the Conference did not become a dead letter. Algeria fully supported the establishment of follow-up mechanisms and welcomed the creation of an anti-discrimination unit in the Office of the High Commissioner for Human Rights. His Government also supported the proposed appointment of five independent experts to ensure full implementation of the Durban Declaration and Programme of Action.

41. The right to self-determination had enabled peoples subjected to foreign domination to achieve independence and had led to increased realization of the universal nature of the United Nations. However, the task of decolonization undertaken by the Organization would remain unfinished as long as some peoples were still deprived of the free exercise of the right to self-determination. Its decolonization agenda still included 16 Non-Self-Governing Territories. As for occupied Palestine, only a comprehensive and durable solution based on the exercise of the Palestinian people of its inalienable rights to self-determination and independence with Al-Quds as its capital, and the withdrawal of Israel from all Arab territories occupied since 1967, could restore peace and security in the Middle East. In Africa, the people of Western Sahara were still waiting for the chance to decide on their future and to exercise their right to self-determination without any constraint, as provided for in the settlement plan, which remained the only framework accepted by both parties to the conflict and by the international community.

42. **Mr. Xie** Bohua (China) said that his delegation was deeply concerned about the continuing Israeli-Palestinian conflict and the deadlock in the Middle East peace process. He stressed that the key to achieving lasting peace in the region was the restoration of the rights of the Palestinian people, including their right to self-determination, and hoped that Israel would effectively implement relevant Security Council resolutions, put an end to its military actions against areas under Palestinian control and create the necessary conditions for the resumption of peace talks.

43. In accordance with General Assembly resolution 1514 (XV), the right to self-determination applied to peoples under foreign aggression and occupation, and should not be construed as permitting action to violate the territorial integrity of sovereign States. Over the years, the principle of self-determination had been used as a pretext for attempts to undermine China's sovereignty and unity, but his delegation was convinced that such attempts were unlawful and doomed to failure.

44. Turning to the issue of racism, he said that his Government welcomed the outcome of the Durban Conference, which had marked a turning point for all countries in their efforts to strengthen domestic legislation in that field. It was vital to address the root causes as well as their symptoms by, inter alia, establishing human-rights-education programmes and promoting dialogue between difference races in order to demonstrate that racial and cultural differences were not a source of world conflict but rather the starting point of world integration.

45. **Ms. Khalil** (Egypt) said that racism represented a blatant violation of human rights. Despite all the struggles to eradicate it, it was still persisting, oftentimes under new guises. His delegation welcomed the report of the Special Rapporteur on contemporary forms of racism (A/57/204), and expressed great concern at the increase of racism and xenophobia in the world, especially against immigrants and refugees. The terrorist attacks of 11 September 2001, furthermore, had led to the stigmatization of Muslims and Arabs as terrorists. Some cultures were also deemed superior to others, which helped to promote clashes among individuals and societies and to perpetuate racism. Such racist views could bring back an ugly period of world history, whether characterized by Nazism, imperialism or the exploitation of human beings. Immigrants were also discriminated against on the basis of race, gender, religion, language or skin colour, especially after 11 September 2001. Egypt would urge a complete investigation of such practices, in accordance with the Durban Declaration and

Programme of Action. Globalization and its effects on human rights should also be examined.

46. Her delegation confirmed that the right to education, economic and social development, the elimination of economic and political injustice, and the dialogue between civilizations were of vital importance in the fight against racism and discrimination. The Durban Declaration confirmed that imperialism had led to racism, discrimination and xenophobia, and condemned those phenomena whenever and wherever they appeared.

47. One manifestation of racism was the suffering of the Palestinian people under Israeli occupation, and their situation could not be ignored. Her delegation did not understand the continuation of the occupation, since the Israeli people themselves had for centuries been scattered and dispossessed of their human rights. It did not understand how Israel could violate so flagrantly the human rights of the Palestinians when the Israeli people had suffered the same fate. Israel should end its occupation in the context of a just and comprehensive peace based on United Nations resolutions and on the principle of land for peace.

48. **Mr. Kerkatly** (Saudi Arabia) said that, despite the passing of more than half a century the Palestinians were still suffering under the oppressive Israeli occupation, which violated all religious, humanitarian, moral and legal principles. Since its founding, Israel had been heedless of the lives of Arabs, whom it had tyrannized and dispossessed. Several times it had attacked neighbouring countries, and had committed war crimes and crimes against humanity in Deir Yassin, Sabra, Chatila and elsewhere. The Palestinian people, like other peoples, had the right to self-determination and to an independent State, in accordance with the Charter and international conventions. Yet Israel ignored mandatory resolutions of the United Nations, which it defied.

49. Violence in the occupied Palestinian territories was the result of Israel's building of settlements and expansion, and its repressive measures, including its expropriation of lands, its demolition of houses and its destruction of the Palestinian economic infrastructure. He called upon the international community to uphold international legitimacy and to stand by the Palestinian people in their fight for self-determination and independence.

50. **Ms. Clarke** (Barbados) said that, despite a history marred by the injustices of slavery, Barbados had developed into a cohesive multi-ethnic society in which the rights of individuals were respected and the core values of tolerance and equality were held high.

51. It was precisely for that reason that the unfortunate decision taken at a recent international non-governmental conference convened in Barbados was totally abhorrent to its Government and people. That conference, the African and African Descendants NGO Follow-up to the 2001 Durban World Conference against racism, had taken place with the stated purpose of building on the progress achieved at the World Conference. Regrettably, the divisive resolution it had adopted did little to advance the cause. In August 2001, persons of all races had come together in Durban, South Africa, to engage in frank and meaningful dialogue with the desire to eliminate discrimination and intolerance from the modern world. The African and African Descendants' Caucus that had formed in the margins of the Durban Conference had decided that there was a need for a follow-up conference of non-governmental organizations. Barbados' critical role in fostering consensus in Durban had been precisely the reason why it had been held in Barbados.

52. Yet the NGO conference had adopted a resolution effectively barring persons of non-African descent from participation in the proceedings. The Government of Barbados had not been officially represented and had taken no part in that decision. Under the circumstances, however, it wished to make its position clear: it did not support segregation in any form or racism in any guise, and was unequivocally opposed to any attempt to separate persons on the basis of race or ethnic origin. Appeals from the Attorney-General of Barbados to the conference to rescind the resolution had not been acted on.

53. That regrettable occurrence was a reminder that there was still much work to be done. Racism could not be eliminated in the absence of dialogue among all stakeholders, and regard for the principles of tolerance must also be shown in the continued deliberations on racism within the United Nations.

54. Barbados remained committed to the universal implementation of the Durban Programme of Action and had agreed that the trans-Atlantic slave trade was a crime against humanity. The discrimination in the Caribbean region against those of European and Indian

descent bonded into indentured servitude must also be condemned. Comprehensive research into such matters should be the primary task of an international centre for multiracial and multicultural studies, and the University of the West Indies, based in a region characterized by ethnic and religious pluralism, would be a prime site for such a centre.

55. The community of non-governmental organizations should be commended for its initiative in striving to move the implementation of the Durban Programme of Action forward, and their efforts must be translated into action on the global agenda. In that regard, Barbados supported the establishment of an intergovernmental working group to implement the Programme of Action and an expert working group on people of African descent. The onus remained on States to exercise political will and mobilize the resources to carry the process forward.

56. **Mr. Ould Deddach** (Mauritania) said that discrimination was at the root of the racial and ethnic hatred which had plagued Africa, and in order to combat it, societies must be mobilized to take greater responsibility for peace and security. Poverty was also an underlying cause of hatred, inequality and discrimination. He also drew attention to the discrimination practised against the peoples of Palestine, the Syrian Arab Golan and Lebanon under Israeli occupation.

57. The Constitution of Mauritania enshrined the equality of all its citizens without distinction, and its laws punished any kind of racial ethnic propaganda. His delegation expressed its growing concern at the rising backlash against Islam in the aftermath of the terrorist attacks. Some equated those heinous acts with the religion of Islam, but the Koran preached tolerance, respect for human dignity and rejection of violence.

58. In keeping with its Islamic tradition of tolerance and openness, his country had established an office for human-rights protection as part of its poverty-eradication efforts, stemming from a unified concept of development where economic and political progress should go hand in hand. One of the tasks of that institution was to strengthen dialogue and cooperation with civil society. The Government had also signed a technical-cooperation agreement with the Office of the High Commissioner for Human Rights for assistance in promoting its national plan of action for human rights.

59. The international community had an immense responsibility for the implementation of the Durban Declaration and Programme of Action, and Mauritania was ready and willing to do its part to rid the world of the scourge of racism.

60. **Mr. Zeidan** (Lebanon) said that racism and self-determination were interconnected, since the right to self-determination included the right to freedom from persecution because of race. The realization of that right was an essential condition for guaranteeing individual human rights. It was also a basic condition for achieving a just, lasting and comprehensive peace in the Middle East.

61. After the civil war in Lebanon, the Government had implemented a system of representation designed to encourage political pluralism and the authentic self-determination of each community. In other areas of the Middle East, however, disputes involving people struggling to exercise their right to self-determination remained some of the most dangerous and intractable conflicts in the world. It was nonsensical for the international community to condemn apartheid in South Africa yet close its eyes to the institutional repression and brutality currently occurring in the occupied Arab territories. In the hope of alleviating the situation, the Commission on Human Rights had recently reaffirmed the inalienable right of the Palestinian people to self-determination, including their right to establish a Palestinian State, and had endorsed the Arab peace initiative adopted at the Beirut Summit in March 2002.

62. He welcomed the report of the Secretary-General on the implementation of the Programme of Action for the Third Decade and follow-up to the World Conference against Racism (A/57/83-E/2002/72) and the report of the Special Rapporteur on contemporary forms of racism (A/57/204). The latter had highlighted the existence of over 200 websites propagating racial hatred, an alarming contemporary phenomenon which reflected a tendency to hierarchize cultures. He stressed that no people were "better" than other people, just more heavily armed.

63. His delegation took the view that the term "racism" was most often employed by political leaders in an attempt to create division for their own ends. The main problem in the Middle East was territorial occupation: racism was simply an outward

manifestation of that occupation, but racism bred hostility and, in turn, hostility bred threat.

64. No community could claim to be the most long-suffering victim of racism, as the phenomenon was omnipresent. Indeed, as a Semitic people, Arabs had themselves been subjected to alternative forms of anti-Semitism, particularly in the aftermath of the attacks of 11 September 2001. His delegation firmly believed that attempts by any Government to "hijack" a religion for its own purposes constituted an insult to that religion and its followers.

65. In conclusion, he said that the main problem facing Governments in their fight against racism was the management of ideas and thought patterns. Oppression on the basis of a people's innate characteristics always led to violations of that people's right to self-determination.

66. **Ms. Kupchina** (Belarus) said that racial discrimination must be fought at all levels and by every available means, whether through information campaigns or political, legal and social measures. Her delegation welcomed the call in the Durban Programme of Action for universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination by 2005, and urged all States parties to meet their reporting obligations.

67. The successful implementation of the Programme of Action would depend on the commitment of Governments. Belarus, for its part, prohibited discrimination in the Constitution and had also established a legislative framework for the protection of the rights of minorities. Racial discrimination should be approached as a cross-sectoral issue throughout the United Nations system.

68. Despite all the efforts of the international community, however, racial discrimination persisted and was taking on new forms, and her delegation therefore welcomed the efforts of the Special Rapporteur on contemporary forms of racism. It also noted the disturbing increase in the use of new forms of technology, such as the Internet, to spread racist propaganda, and called on all Governments to combat the spread of any doctrine of racial or ethnic superiority or exclusiveness. She reiterated the call in General Assembly resolution 56/268 for States to educate their young people in human rights and democratic values in order to combat such false ideologies.

69. **Ms. Lewis** (International Labour Organization (ILO)) said that the importance of shedding racist structures, conduct and attitudes and of developing pride in multicultural, multiracial and multireligious societies had been highlighted by ILO at the World Conference against racism. In response to the Secretary-General's identification of the workplace as a frontline in the fight against racism, and as a follow-up to the Durban Conference, ILO was in the process of drafting a global report on the elimination of discrimination in employment and occupation with a view to strengthening its action in that area. It was hoped that the report would be instrumental in mobilizing political commitment and donor support for ILO activities to combat racial discrimination at work.

70. She informed the Committee that, in the run-up to the publication of the report, a series of activities was under way or planned, including projects to promote equality and non-discrimination in the employment and occupation of the Dalits and the Roma. Since the protection of migrant workers was a major concern of the Durban Declaration and Programme of Action, ILO had included that issue on the agenda of the 2004 session of the International Labour Conference, with a view to reinforcing its response to the challenges of international labour migration in an era of globalization.

71. At its forthcoming session, the ILO Committee of Experts on the Application of Conventions and Recommendations would review the application of ILO conventions on non-discrimination and equality in several countries. That Committee had consistently emphasized that non-discrimination was fundamental to building multicultural societies based on respect and tolerance, and the practical application of that principle appeared all the more crucial in the aftermath of the events of 11 September 2001. In that connection, she urged vigilance against any increase in religious, ethnic and racial discrimination.

72. ILO was looking forward to cooperating further with the United Nations system in the area of equality and non-discrimination, and was convinced that the fight against discrimination was crucial to protecting all human rights.

73. **Mr. Tamir** (Israel), speaking in exercise of the right of reply, said that certain delegations had, in their statements to the Committee, opted for the course of violence and incitement and had chosen to portray

suicide bombers as martyrs. Never had another people been so vilified as the Israelis; never had any other nation been so demonized.

74. However, such attitudes would not damage Israel. The situation in the Middle East would be settled once the Palestinians put an end to their terrorist attacks. The cheapening of language, the casting of victims of terror as the aggressors and the depiction of the victims of the Nazis as the perpetrators of similar crimes would inevitably harm human rights.

The meeting rose at 12.35 p.m.

United Nations A/C.3/57/SR.27

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Summary record of the 27th meeting
Held at Headquarters, New York, on Monday, 28 October 2002 at 10 a.m.

Chairman: Mr. Wenawaser ..... (Liechtenstein)

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* Items which the Committee has decided to consider together.

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02-66229 (E)

The meeting was called to order at 10.05 a.m.

Agenda item 107: Elimination of racism and racial discrimination *(continued)* (A/57/3)

(a) Elimination of racism and racial discrimination *(continued)* (A/57/18, A/57/83-E/2002/72, A/57/204, 333 and 334)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action *(continued)* (A/57/443)

Agenda item 108: Right of peoples to self-determination *(continued)* (A/57/178 and 312)

1. **Ms. Viotti** (Brazil) said that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance constituted a solid basis for efforts to combat all forms of racism, and in that connection her delegation welcomed the report of the United Nations High Commissioner for Human Rights on the comprehensive implementation of and follow-up to the Conference (A/57/443). Brazil also supported the activities of the Anti-Discrimination Unit of the Office of the High Commissioner.

2. The Durban Declaration and Programme of Action were landmarks in the fight against racial discrimination. They were forward-looking and encouraged States to reconcile themselves with their own past, at both the national and the international levels. They drew attention to specific groups of victims and placed particular emphasis on the problems faced by people of African descent.

3. However, if the Durban Conference was to mark a genuine turning point, it would have to result in positive actions to combat racism at all levels. In Brazil, intensive interaction between the Government and civil society had led to the adoption of a national programme of affirmative action which had, inter alia, established percentage goals for the participation of people of African descent — as well as women and disabled persons — in public administration.

4. In conclusion, she said that, despite the controversy which had surrounded the Durban Conference, it was crucial to focus on the highly positive contribution it had made. The implementation of its outcome would require political will, adequate funding and continuous international cooperation.

5. **Mr. Konfourou** (Mali) welcomed the fact that the Durban Declaration and Programme of Action had vigorously condemned past racist tragedies and had classed slavery and the slave trade as a crime against humanity. He was particularly pleased that the World Conference had highlighted the need to enact anti-discrimination laws to punish acts of racism and xenophobia committed against migrants and members of their families and to facilitate their access to justice and basic social services in their host country. In that connection, he stressed the need for a large-scale awareness campaign aimed at public servants who came into contact with migrants or other foreign populations. That campaign should also target the media, which was often responsible for inciting racial hatred and religious intolerance.

6. The Malian Constitution prohibited discrimination on any grounds. His delegation was therefore all the more saddened by certain discriminatory and xenophobic acts being perpetrated in Africa, which should be strongly condemned and punished.

7. The creation of the African Union and the implementation of the New Partnership for Africa's Development augured well for the promotion and protection of human rights in the region, and in that connection his delegation welcomed the recommendations in the Durban Programme of Action concerning measures to prevent racial discrimination against minorities.

8. The fight against racism and related intolerance should take place within the wider framework of the promotion of democracy, human rights and cultural and religious diversity. To win that fight, enhanced cooperation at both the regional and international levels was required. Mali stood ready to play its part in the implementation of the Durban Declaration and Programme of Action.

9. **Mr. Huntley** (Saint Lucia) said that the Millennium Declaration had reaffirmed the principle of equal rights and self-determination of peoples. As evidenced by the recent independence of Timor-Leste, the international community had, for the most part, successfully fulfilled its commitment to uphold the right to self-determination of peoples under colonial domination, but a handful of territories, predominantly

small island developing States in the Caribbean and Pacific, were still classified as non-self-governing.

10. In the Caribbean, most of the inhabitants of the Non-Self-Governing Territories were descended from the survivors of slavery and indentureship. Only through genuine self-determination would they finally be able to lay the memories of exploitative colonialism to rest. In that regard, he stressed the importance of resources to complete that process. Accordingly, the plan of action of the Second International Decade for the Eradication of Colonialism must be given a chance to succeed.

11. A comprehensive understanding of the choices facing the populations of Non-Self-Governing Territories was critical to their ability to exercise their right to self-determination, which entailed choosing between the options of independence, free association or integration. To that end, political-education programmes should be developed in each Territory, and could benefit from closer cooperation within the United Nations system and between the Third and Fourth Committees. In that connection, his delegation wished to recommend the joint convening by the Third and Fourth Committees of an informational forum on self-determination during the fifty-eighth session of the General Assembly, and requested that that recommendation should be included in the text of the draft resolution on self-determination.

12. Lastly, he recalled the importance of the commitment undertaken by States parties to the International Covenant on Civil and Political Rights to promote the self-determination of peoples of the Non-Self-Governing Territories, and drew attention to the invaluable work of the Human Rights Committee. His delegation recommended further cooperation between that Committee and the relevant General Assembly Committees working in the area of self-determination, in order to encourage the cross-fertilization of information and ideas relating to that issue. He requested that that recommendation should also be included in the Committee's draft resolution on self-determination.

13. **Ms. Blajan** (Romania) said that the elimination of racism and related intolerance was essential in order to ensure respect for human rights and the rule of law and promote the development of genuine democracy. However, words and official documents were not enough to achieve that goal: concerted national, regional and international action, based on the Durban Declaration and Programme of Action, was required.

14. The Romanian Government was committed to combating racial discrimination, and had created the conditions to enable minority groups to develop their own ethnic, cultural, linguistic and religious identities. Romania had been one of the first countries in Central and Eastern Europe to adopt a body of anti-discrimination legislation and had also implemented special measures to protect disadvantaged groups, such as refugees, asylum-seekers, migrants and victims of human trafficking, and enable them to realize their right to equal opportunities. In order to monitor the implementation of that legislation, a National Anti-Discrimination Council had been set up. The Council was also planning programmes to prevent discrimination and promote tolerance.

15. With specific reference to the Roma population, she said that the Romanian authorities were using education to fight against prejudice and intolerance. A quota system for the admission of Roma students to schools and universities had been introduced and a Roma Department had been established at Bucharest University.

16. The long-term national strategy regarding the Roma had been in place since 2001. It focused on cooperation between the Government, local authorities and Roma community organizations, and was designed to encourage the Roma to participate in the country's social, economic and cultural life and to ensure that they had access to education, health care and employment. The Government had recently appointed a member of the Roma community as coordinator of the national programme for the Roma.

17. She urged all States which had not yet done so to ratify or accede to the International Convention on the Elimination of All Forms of Racial Discrimination. Moreover, as part of the follow-up to the Durban Conference, her delegation had suggested that a Romanian expert should take part in the working group established to study the problems of racial discrimination faced by people of African descent living in the African Diaspora.

18. **Mr. Akram** (Pakistan) observed that the Charter and the International Covenants on Human Rights proclaimed the right of all peoples to self-determination. However, following its own liberation from colonial rule, India had chosen to deny that right

to the people of Jammu and Kashmir and had sent its troops to occupy the State. Despite the provisions of Security Council resolutions 47 (1948) and 80 (1950), which called for a free and impartial plebiscite to be conducted in Jammu and Kashmir under United Nations auspices, India had continued to deny Kashmiris the right to express their wishes freely and democratically. The recent so-called "elections" in Indian-occupied Kashmir had been extremely unsatisfactory and simply an exercise in fraudulent and forcible "democracy". It was impossible to hold free and fair elections in a territory under foreign occupation, and elections could never serve to legitimize such occupation.

19. Over the past 12 years, 80,000 Kashmiris had died and thousands had been incarcerated. Torture, arbitrary arrest, custodial killings and rape were all endemic, and collective punishments, such as the torching of entire bazaars, villages and fields of crops, had been the response to even a whisper of defiance. The dispute over Jammu and Kashmir had led to three wars between India and Pakistan, and the threat of nuclear war was now omnipresent. For the past ten months, India had been attempting to blackmail Pakistan and the rest of the world by threatening war.

20. Throughout the crisis, Pakistan had demonstrated restraint and responsibility, but India had rejected all pacific overtures. However, India's recent announcement that its troops would be withdrawing from the border with Pakistan was a step in the right direction: Pakistan had also decided to withdraw its forces from the border. It was hoped that India would soon pull back the additional forces it had deployed along the line of control in Kashmir.

21. India should abandon its present strategy and acknowledge that a military solution was not possible, that the status quo was untenable and that a peaceful and durable political settlement would require negotiations between India and Pakistan involving the true representatives of Jammu and Kashmir. In order to create the conditions for a negotiated solution, India must end its repression and human-rights violations in Kashmir and, in particular, it must release all Kashmiri leaders in detention; allow humanitarian assistance to reach the suffering people of Kashmir and the stationing of impartial human-rights monitors; remove its troops; and halt the practice of crackdowns on Kashmiri villages and urban areas.

22. His delegation hoped that India would respond to the call of the international community and commence a serious dialogue with Pakistan to address and resolve the Kashmir dispute and other outstanding differences between the two countries. He reminded the Committee that, pursuant to the various resolutions relating to the issue, the United Nations had a direct responsibility to ensure respect for the Kashmiri people's right to self-determination.

23. **Ms. Rasheed** (Observer for Palestine) said that the Durban Declaration and Programme of Action had made valuable recommendations for initiatives to combat all forms of racism and racial discrimination which provided a foundation to build upon.

24. In the occupied Palestinian territories, including East Jerusalem, almost half the Palestinian people had lived under oppressive Israeli occupation for more than three decades. Many of the measures taken, which had led to the death of 1,880 Palestinians and the wounding of more than 35,000, could not have continued were it not for the occupying Power's racist attitude. Over the past 35 years, Israel had transformed its occupation into a colonial phenomenon with the transfer of over 400,000 Israeli settlers to those territories. Such settlement was rooted in racism because it negated the most basic rights of the indigenous people.

25. Israel had also prevented approximately four million Palestinian refugees from returning to their homes and property, in defiance of international law and United Nations resolutions, based on religious discrimination. In Israel itself, more than one million Israeli Arabs continued to suffer institutionalized discrimination. Their living conditions were considerably below those of the average Israeli citizen and they were deprived of many benefits and services. Israel had no constitution and it was the only country in the world that differentiated between citizenship and nationality.

26. Racism was becoming more blatant in all spheres of Israeli public life. High-ranking government officials, army generals and even religious leaders had made overtly racist remarks about Palestinians. Calls for the annihilation or expulsion of Palestinians — equivalent to ethnic cleansing — were being made with impunity. Yet it was the Palestinians who were being accused of incitement.

27. Her delegation hoped that the international community would make every effort to bring the

occupation and the ongoing colonization of Palestinian land to an end. The rights of Palestinian refugees should be restored and Israeli Arabs should be spared institutionalized discrimination. Most importantly, the State of Palestine should be established with East Jerusalem as its capital.

28. Lastly, Palestine condemned the growing discrimination in some countries against Arabs, including Christian Arabs and Muslims, as well as statements which tarnished the name of Islam.

29. **Mr. Al-Khasawneh** (Jordan) said that Jordan considered that the right of peoples to self-determination was a fundamental, inalienable right and its exercise benefited global stability, peace and harmony. It agreed with the view expressed by various international legal bodies, including the International Court of Justice, that that right should not endanger the territorial integrity and political unity of independent States. However, that did not apply to peoples under foreign occupation. Accordingly, Jordan emphasized the inalienable right of the Palestinian people to self-determination and to freely determine their political status throughout the occupied West Bank and Gaza, including the right to establish an independent Palestinian State with East Jerusalem as its capital. That was the goal of the peace process, which confirmed the international community's recognition of the Palestinian people's right to self-determination.

30. Jordan called on Israel to end its occupation of Palestinian cities immediately and to withdraw its forces to their positions prior to 28 September 2000, in order to create conditions conducive to the resumption of the peace process, based on the terms of reference of the Madrid peace process, which would ensure a safer and more prosperous life for both Arabs and Israelis.

31. **Mr. Palacio** (Ecuador) said that, in addition to violating human rights, racism had always impeded national and international development and that the Durban Conference had provided the occasion for Ecuador, a multi-ethnic and multicultural country, to commence a national debate on the issue.

32. In 2001, it had established a committee representing both the public sector and civil society, including the indigenous sector and people of African descent, in order to draw up a national anti-racism plan. Moreover, in compliance with the Durban Programme of Action, social measures were under way, particularly in the areas of education and job creation for vulnerable sectors, such as indigenous peoples and those of African descent, within the framework of the medium-term social-development plan. The most recent national census had included questions concerning ethnic identity in order to reassess the heterogeneity of Ecuador's national identity with a view to abolishing all forms of discrimination.

33. In his report (A/57/204), the Special Rapporteur on contemporary forms of racism had indicated that there had been a resurgence of racism, racial discrimination and xenophobia in various parts of the world affecting migrants and refugees in particular. Owing to the economic crisis, compounded by globalization, in recent years hundreds of thousands of Ecuadorians had emigrated to find work in order to help their families. Ecuador therefore called for an end to discrimination against such emigrants and against all migrants and refugees.

34. **Mr. Gospodinov** (Observer for the International Federation of Red Cross and Red Crescent Societies (IFRC)) said that IFRC looked forward to collaborating with the recently appointed United Nations High Commissioner for Human Rights, Mr. Vieira de Mello, in its work against discrimination and in favour of respect for cultural diversity. IFRC actions were rooted in seven fundamental principles (humanity, impartiality, neutrality, independence, voluntary service and universality), which provided a solid basis for combating discrimination. The most important principle, and the guiding force behind all humanitarian actions, was humanity, or respect for one's fellow human beings.

35. The horrific events of 11 September 2001 in the United States had unleashed new problems related to xenophobia, discrimination and intolerance elsewhere in the world. Consequently, the IFRC Governing Board had resolved to take practical action to restore and strengthen humanitarian values across religious, political and ethnic lines, and IFRC was working to build partnerships among national Red Cross and Red Crescent societies so that they could collectively strengthen their work to combat discrimination and violence.

36. In 2002, IFRC had also decided to launch a programme to reduce discrimination and violence in the community. Activities included exchanges with the Office of the High Commissioner for Human Rights to increase links between national Red Cross and Red

Crescent societies and national human-rights institutions; regional actions in North Africa, Central Africa, the Americas and Central Asia; and the development of "communities of practice" to facilitate sharing experience and good practice within the Federation's network and with external partners. National Red Cross and Red Crescent societies developed and implemented their programmes in response to local or regional needs and addressed such issues as racial discrimination in a manner adapted to the national setting.

37. The fight against racism and related intolerance required everyone to be involved. IFRC programmes utilized the resources contributed by almost 100 million members and volunteers worldwide. But to increase effectiveness, it was essential to form partnerships with others, including the United Nations High Commissioner for Human Rights. As part of its follow-up to the Durban Conference, IFRC intended to give priority to developing such partnerships and would put the issue on the agenda of the International Conference of the Red Cross and Red Crescent to be held in Geneva in December 2003.

The meeting rose at 11.10 a.m.